

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RODERICK MAGADIA,

Plaintiff,

v.

WAL-MART ASSOCIATES, INC., et al.,

Defendants.

Case No. 17-CV-00062-LHK

**JUDGMENT**

On May 28, 2021 the Ninth Circuit vacated the Court's judgment and award of damages for violations of California Labor Code § 226.7 and reversed the judgment and award of damages for violations of California Labor Code § 226. The Ninth Circuit instructed the Court to remand the California Labor Code § 226.7 claim to state court and instructed the Court to enter judgment for Defendants Wal-Mart Associates, Inc. and Wal-Mart Stores, Inc. (collectively, "Walmart") on the California Labor Code § 226 claim. *Id.* The mandate issued on October 27, 2021. ECF No. 228.

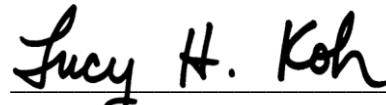
Initially Plaintiff Magadia pled four causes of action. ECF No. 1-1. He alleged that Walmart violated: (1) California Labor Code § 226.7 for failure to pay adequate compensation for missed meal breaks; (2) California Labor Code § 226 for failure to provide accurate itemized wage statements; (3) California Business & Professions Code § 17200 et seq. ("UCL") for engaging in unfair and unlawful business practices; and (4) California Labor Code § 2698 because Wal-Mart

1 failed to pay adequate compensation for missed meal breaks and failed to provide accurate  
2 itemized wage statements. ECF No. 1-1 at ¶¶ 24-42. Only the first two were operative claims  
3 because “the UCL merely extends the statute of limitations for claim (1), and [California Labor  
4 Code § 2698] provides for penalties for underlying violations of the California Labor Code.” ECF  
5 No. 217 at 1-2.

6 Accordingly, the Court REMANDS Plaintiff’s first cause of action under California Labor  
7 Code § 226.7 to the California Superior Court for Santa Clara County. Judgment is entered for  
8 Walmart on Plaintiff’s second cause of action under California Labor Code § 226. The Clerk shall  
9 close the file.

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11 **IT IS SO ORDERED.**

12 Dated: November 5, 2021

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14 LUCY H. KOH  
15 United States District Judge  
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